# Case neg v Ableism

## 1

### Wynter

**I. There is no hope to deal with the question of “humanity,” the potential of what “humans” should be, should think, and how they should act based on these stances within the anthropology of white European models of thought. Regardless of the “critique,” of ableism the white call to action allows Europe the continued power to construct “MAN,” within their own systems of thought. Their position is just another example of a moral plea to white decadent anthropology. The fundamental question being posed in this debate is what has created the notion of abled and disabled bodies. Our argument is that it is the European conception of MAN.**

Syliva **Wynter—2006** ( “Interview with Syliva Wynter,ProudFlesh Interview: New Afrikan Journal of Culture, Politics & Consciousness, Issue 4)

PROUD FLESH: At this point in your life’s work, who could think of your writing without thinking of its **critical thesis on “humanism,” of Western humanism,** or what it calls “Man,” which **also raises critical questions of “consciousness,**” does it not? And other questions, too, of course. SYLVIA WYNTER: Such as, “**Why does this meaning have to be put on being Black—this meaning of non-being**?” These are the kinds of questions that you guys are going to ask. I beg you guys to go back and read about Copernicus, Galileo and so on. The Darwinian thing was a bit of a struggle, but not as much--strangely enough . . . PROUD FLESH: Yes, you consistently show how “the Copernican revolution” was one enabled by imperialist exploration-cum-exploitation or conquest. For undergraduates in Western universities, in particular, they simply stick the Copernicus issue in the anthology of “modern Western philosophy,” as a lesser textual concern, without dealing with it or its significance; I mean, with no context or explanation. SYLVIA WYNTER: They never even wanted to write about it! And why? Because I think they are aware of the implications, if taken seriously. That’s how they took over the world. **We have to take it all seriously. YOU CANNOT SOLVE THE ISSUE OF “CONSCIOUSNESS” IN TERMS OF THEIR BODY OF “KNOWLEDGE.”** You just can’t. **Just as within the medieval order of knowledge there was no way** in which **you could explain why it is that certain planets seemed to be moving backwards.** **Because you were coming from a geocentric model**, right? **So you** had to “**know” the world in that way. Whereas from our “Man-centric” model, we cannot solve “consciousness” because “Man” is a purely ontogenetic**/purely **biological conception of being, who then creates “culture.” So if we say “consciousness” is “constructed,” who does the constructing**? You see? Whereas in Fanon’s understanding of ontogeny-and-sociogeny, there’s no problem. Do you see what I mean?

**II. Social systems of power must be discursively legitimated. The issue is not “what we speak,” but how “what we speak,” perpetuates very specific cultural determinations of how systems work and respond to our discursive appeals. The Negative’s position is not simply about a difference of values about the world, rather this is a difference about how the Aff reifies and naturalizes the structures, systems, and types of knowledge that perpetuate the cultural concepts of white supremacy. Of course what your saying is good that ableism is bad but is how you have framed that ideology that only reifies existing structures which is allow the notion of disabled/able to continue.**

Sylvia **Wynter—1992** (“Beyond the Categories of the Master Conception: The Counterdoctrine of the Jamesian Poiesis,” in C.L.R. James Caribbean, eds. Paget Henry & Paul Buhle, 63-91**)**

To be effective systems of power must be discursively legitimated. This is not to say that power is originally a set of institutional structures that are subsequently legitimated. On the contrary, it is to suggest the equiprimordiality of structure and cultural conceptions in the genesis of power. These cultural conceptions, encoded in language and other signifying systems, shape the development of political structures and are also shaped by them. The cultural aspects of power are as original as the structural aspects; each serves as a code for the other's development. It is from these elementary cultural conceptions that complex legitimating discourses are constructed.

#### III. Here’s a Big Ass Impact and another Link to this Theoretical crap: they cannot claim to address much less solve any problems of human existence without addressing Racism first and foremost. This in and of itself misses the anthropological cause of colonial/neo-colonial differences the world over. This is not to say that Racism is in itself of more consequence than other problems, but to say that Racism is the template of modernity used to refuse humanity to other people, to make them different kinds of things that do not deserve humanity. The alternative is to rupture the European conception of man.

**Wynter 3** (Sylvia Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, Its Overrepresentation--An Argument,” CR: The New Centennial Review, Volume 3, Number 3,257-337)//

The argument proposes that **the struggle of our new millennium will be one between** the ongoing imperative of securing the well-being of our present ethnoclass (i.e., Western bourgeois) **conception of the human, Man**, which overrepresents itself as if it were the human itself, and that of securing the well-being, and therefore the full cognitive and behavioral autonomy of the human species itself/ourselves. Because of this overrepresentation, which is defined in the first part of the title as the Coloniality of Being/Power/Truth/Freedom, **any attempt to unsettle the coloniality of power will call for the unsettling of this overrepresentation** as the second and now purely secular form of what Aníbal Quijano identifies as the “**Racism/ Ethnicism complex,” on whose basis the world of modernity was brought into existence** from the fifteenth/sixteenth centuries onwards (Quijano 1999,2000), and of what Walter Mignolo identifies as the foundational “colonial difference” on which the world of modernity was to institute itself (Mignolo 1999, 2000). The correlated hypothesis here is that all **our present struggles with respect to race, class, gender, sexual orientation, ethnicity, struggles over the environment**, global warming, severe climate change, the sharply unequal distribution of the earth resources (20 percent of the world’s peoples own 80 percent of its resources, consume two-thirds of its food, and are responsible for 75 percent of its ongoing pollution, with this leading to two billion of earth’s peoples living relatively affluent lives while four billion still live on the edge of hunger and immiseration, to the dynamic of overconsumption on the part of the rich techno-industrial North paralleled by that of overpopulation on the part of the dispossessed poor, still partly agrarian worlds of the South4)—**these are all differing facets of the central ethnoclass Man vs. Human struggle. Central to this struggle also is** the usually excluded and invisibilized situation of the category identified by Zygmunt Bauman as the “New Poor” (Bauman 1987). That is, as a category defined at the global level by refugee/economic migrants stranded outside the gates of the rich countries, as the postcolonial variant of Fanon’s category of les damnés (Fanon 1963)—with this category in the United States coming to comprise the criminalized majority Black and dark-skinned Latino inner-city males now made to man the rapidly expanding prison-industrial complex, together with their female peers—the kicked-about Welfare Moms—with both being part of the ever-expanding global, transracial category of the homeless/the jobless, the semi-jobless, the criminalized drug-offending prison population. So that if we see this category of the damnés that is internal to (and interned within) the prison system of the United States as the analog form of **a global archipelago, constituted by** the Third- and Fourth-World **peoples of the so-called “underdeveloped” areas of the world—**most totally of all by the peoples of **the continent of Africa** (now **stricken with** AIDS, drought, and **ongoing civil wars**, and whose bottommost place as the most impoverished of all the earth’s continents is directly paralleled by the situation of its Black Diaspora peoples, with Haiti being produced and reproduced as the most impoverished nation of the Americas)—**a systemic pattern emerges**. This pattern is linked to the fact that while in the post-sixties United States, as Herbert Gans noted recently, **the Black population group**, of all the multiple groups comprising the post-sixties social hierarchy, **has once again come to be placed at the bottommost place of that hierarchy** (Gans, 1999), with all incoming new nonwhite/non-Black groups, as Gans’s fellow sociologist Andrew Hacker (1992) earlier pointed out, coming to claim “normal” North American identity by the putting of visible distance between themselves and the Black population group (in effect, claiming “normal” human status by distancing themselves from the group that is still made to occupy the nadir, “nigger” rung of being human within the terms of our present ethnoclass Man’s overrepresentation of its “descriptive statement” [Bateson 1969] as if it were that of the human itself), then the struggle of our times, one that has hitherto had no name, is the struggle against **this overrepresentation**. As a struggle whose first phase, the Argument proposes, was first put in place (if only for a brief hiatus before being coopted, reterritorialized [Godzich 1986]) by the multiple anticolonial social-protest movements and intellectual challenges of the period to which we give the name, “The Sixties.” The further proposal here is that, although the brief hiatus during which the sixties’ large-scale challenge based on multiple issues, multiple local terrains of struggles (local struggles against, to use Mignolo’s felicitous phrase, a “global design” [Mignolo 2000]) erupted was soon to be erased, several of the issues raised then would continue to be articulated, some in sanitized forms (those pertaining to the category defined by Bauman as “the seduced”), others in more harshly intensified forms (those pertaining to Bauman’s category of the “repressed” [Bauman 1987]). Both forms of “sanitization” would, however, function in the same manner as the lawlike effects of the post-sixties’vigorous discursive and institutional re-elaboration of the central overrepresentation, which **enables the interests**, reality, and well-being **of the empirical human world** to continue **to be** imperatively **subordinated to** those of **the** now globally **hegemonic ethnoclass world of “Man.” This**, in the same way as in an earlier epoch and before what Howard Winant identifies as the “immense historical rupture” of the “Big Bang” processes that were to **lead to a** contemporary modernity defined by the **“rise of the West” and the “subjugation of the rest of us”** (Winant 1994)—before, therefore, the secularizing intellectual revolution of Renaissance humanism, followed by the decentralizing religious heresy of the Protestant Reformation and the rise of the modern state—the then world of laymen and laywomen, including the institution of the political state, as well as those of commerce and of economic production, had remained subordinated to that of the post-Gregorian Reform Church of Latin-Christian Europe (Le Goff 1983), and therefore to the “rules of the social order” and the theories “which gave them sanction” (See Konrad and Szelenyi guide-quote), as these rules were articulated by its theologians and implemented by its celibate clergy (See Le Goff guide-quote).

#### Meirum Kerry was shot, she wasn’t able to get to the hospital, we don’t get to the hospital until they are shot – don’t go to doctor until we are on the brink of death

#### Our argument is that affirmative has simply missed the boat—we have to challenge what created the conception of an abled body because that is at the root of all the material impacts today. Their notion of ableism is elementary, purely descriptive—i.e that ableism is bad. Our argument is prescriptive—we challenge what template has been created in order for them to gain access to their description of ableism in the first place.

The roll of the ballot is to vote for the debater who best ruptures the European conception of man

Prefer:

a. the European conception affects all GENRES of people who are not European, starting with this conception gains us access to challenging all isms that exist within society today

b. if we have one the link that the aff is stuck within European consciousness than the ballot must be tied to who can functionally rupoture that consciousness—we cannot reify it, we must be able to analyze what is creating this notion

blackness and disability two sides of the same coin – the aff can not have a resolve they choked eric garner to death. They will choke a disabled person to death because enot European conception of man, which itself shows they don’t need violence to inflict death

content based reason vote neg you try to distinguish between violence between violence outside or inside hospital, you obsurce from the antagionism of violence towards ablimsim

## Case

### UV

#### Discursive aspects of policy representation control the internal to effective policy. Gehrke,

Pat J. Gehrke, University of South Carolina- Columbia. “Critique Arguments as Policy Analysis: Policy Debate Beyond the Rationalist Perspective”. Contemporary Argumentation and Debate, Volume 19, Page 18-39. 1998.

Not all critique arguments focus on value hierarchies. There is a general trend toward critiques focused on values implicit in the arguments advocates construct or the ways they are expressed. Similar movements in policy studies to incorporate interpretive theories and theories of communicative action have begun to overturn the presumption that a policy communicates only its own implementation. Interpretive perspectives on policy offer unique advantages in repairing our policy deliberation model, as well as the pedagogical benefits of deeper understanding of both specific policies and the policy process. It is important that we not think of policies in purely rational modes, but realize what we say through them to others and ourselves. Policy discourse and **policies** themselves can **have profound communicative implications** from the beginning to the end of the policy cycle. **Since public policy is by definition interactive** (that is, it must occur between people), policies **[they] have no option but to exist** predominantly **as communicative events**. As a society "we live in and are confined to a communicated and communicable world" (Vickers 25), and **we cannot separate** our **policy** options **from the communicative acts they represent** and the communications by which we represent them. The existence of the resolution itself and an affirmative team's operationalization of that resolution are profoundly communicative. Policy scholar James Rogers argues that **policy advocacy can alter belief[s]** systems,provide new paradigms, have an agenda setting effect, **affect how** policy **issues are problematized, and change the way solutions are viewed and evaluated** (22-27). Policy discourse begins, as do most affirmative cases, with an explication of the problems with existing policies. However, practical problems must be constructed, interpreted, and made sense of in the complex contexts at hand (Forester, "No Planning" 60). Hence, debaters as policy evaluators and advocates begin by problematizing the status quo. This act simultaneously creates some identities and roles while negating others. It communicates not only a what, but also a who, a why, and much more. The first impact of any affirmative case is to mark and modify the social and political world. Policy discourse communicates values and interpretations about a policy, its subjects, the objects it acts upon, and the world in which advocates seek to implement it. **These communications shape the way that agents implement** or carry out **those policies** (Bullis and Kennedy 543). Cornell professor of city and regional planning John Forester argues that public policies "alter the 'communicative infrastructure' of institutions that mediate between structural processes of social learning and the practical, situated claims-making process of social interaction" *(Critical Theory* 146). **Thus**, as policy analysts and policy makers, **debaters** and critics **must explore methodologies that can account for the communicative impact of policy discourse.** Initially we may find such an approach in an interpretive perspective on policy. An interpretive approach to policy analysis focuses on the meanings of policies, on [and] the values, feelings, and/or beliefs that they express, and on the processes by which those meanings are communicated to and interpreted by various audiences (Yanow 8-9). From this view, debaters may **look to policy discourse as a rhetorical artifact subject to critical** rhetorical **analysis** or similar analyses. **We cannot** neatly **separate policies from the** language and **advocacy that brings about their implementation.** Policies communicate both through action and through the arguments which advocate action. In light of the nationalist and racist rhetoric of extreme anti- immigration politicians, we should not be surprised to hear of border patrol officers abusing non-white people at the U. S. borders. Or, consider what the United States communicated through the Tuskegee experiments. Over 20 years after the conclusion of the Tuskegee study, what it communicated and continues to communicate about the attitudes of governments and medical institutions toward blacks is still having profound impacts. AIDS education program developers have found that the Tuskegee experiment left a legacy which leads many blacks, especially in the rural south, to believe, "that IfV ... was deliberately created to kill black people, that AZT ... was a plot to poison them, that condom distribution was part of a government plan to reduce the number of black births and that needle exchange programs were designed to foment drug use in minority communities" (Stryker E4). Arguably, some policies may intend no more than their implementation. However, that does not free such policies from responsibility for far more than they intend. While methods for considering these interpretive and communicative aspects of a policy are beyond the rationalist perspective, any evaluation of policy options must consider these communicative perspectives. To limit these interpretations to the intentional and the naive is to limit policy discourse and policy analysis, destroying our ability to consider the communicative effects and influences of policy advocacy. In her analysis of the published reports of the Tuskegee study, Martha Solomon notes that one reason the Tuskegee experiment continued for as long as it did was that the rhetorical conventions of the scientific community obscured and encouraged neglect of crucial human concerns (243- 244). Her focus necessarily extends far beyond the intentional, naive, rogate meanings of the Tuskegee texts. While recognizing these language choices were not intentional attempts to deceive or manipulate, Solomon accounts for their occurrence and impact upon the policy process. Attempts at similar analysis of proposed policies might act as a check against policy actions such as the Tuskegee study. Ignorance of these aspects of policy analysis may persuade debaters that policies that meet rational cost-benefit criteria are always the most effective and preferential policy options, regardless of how they characterize individuals or communicate roles and obligations. Similarly, it will leave debaters unable to account for the often enduring and dramatic effects of the communicative aspects of policies and policy advocacy. [[1]](#footnote-1)

Curry ev framework –

Grosen berg – state has avaible mechanisms, -- discourse about post fiat

Post fiat policy –

Link turns rob – material disabilities we are material you are not

#### Gun bans force people with disbailites to disclose they have one – link turns the aff obamas ex order proves

Mark **Salzer 16** Obama's executive action on guns hurts mentally ill http://www.koreatimes.co.kr/www/news/nation/2016/01/197\_195604.html

On Jan. 4, President **Barack Obama signed an executive order directing federal agencies to facilitate the release of confidential information about individuals with mental illnesses to the national gun background check database**. Specifically, the Social Security Administration is to release the names and other information to the database if an individual receives benefits because of a mental-health issue and has a representative payee ― that is, the individual has been determined to be unable to make competent decisions about his or her finances. And the Department of Health and Human Services has been asked to add language to current regulations to make it clearer that confidential diagnostic information can be released by states to the database, including information about those who have been hospitalized because of mental-health issues. The benefits of this action do not outweigh the potential harms. On the one hand, attempts to link mental illness to gun violence toward others for whatever political, economic or personal reasons are being increasingly discredited, so this will have no effect in this area. And while it is accurate that guns are among the most deadly methods used by the tens of thousands of Americans who commit suicide every year, the executive order is a vast overreach. Less restrictive approaches could be used, including removing guns from households where someone is suicidal and restricting access to guns for a certain period of time (e.g., three years) after the suicidal ideation has subsided. On the other hand, **the release of such private information could cause great harm to the millions of individuals who already experience prejudice and discrimination in employment, education, housing, social relationships, parenting and other areas**. As a former federal employee whose personal information was part of the widely publicized online breach more than a year ago, I am particularly concerned about the security of such data. The far-reaching and potentially harmful executive order should not be surprising in the context of our nation's long history of scapegoating people with mental illnesses, and codifying into laws and policies pervasive and intransigent stereotypes, prejudice and discrimination. Limiting the civil rights of millions of Americans with mental illnesses, and doing so while putting their privacy rights at risk, is nothing new. Nearly every state in our union has at least one law affecting the rights of individuals with mental illnesses. One of these is the right to vote, which is a foundation of our nation's democracy and seemingly defines what it means to be a full citizen. Federal law allows states to restrict the right to vote of those who are mentally incapacitated ― defined in many different ways ― and many states have done just that.

#### Don’t even go to hospital because mental illness isn’t seen as real – you don’t do anything about that only a rupture of the ruoepans conception of what it means to be abled has a chance of solvency

Don R. **Barbera** **1***Say It Loud! I'm Black and I'm Depressed* January 1st 20**08**

**The black community is psychophobic when it comes to mental disorders** of any type especially depression. **There is little toleration for it despite the clear signs of its destructiveness, including how it worsens** many of **the diseases that already affect the African-American community** excessively. Part of the reluctance is due to mistrust combined with a lack of knowledge regarding the medical system and how it operates. In large parts of the black community, there is little education about the medical system, how it works, and how it can help. In addition, knowledge of disease and illness is low in many locations, not just the black community. […] **For African-American men, depression** often **shows as belligerent conduct and excessive shows of masculinity**; often involving dangerous and even fatal behavior. The culture of the “strong black male” sometimes ends as warped caricature of manhood. **African-Americans generally do not seek treatment for their depression, either because their friends, religious community and members don’t recognize depression is a legitimate health issue, or because admitting depression is a sign of weakness.**

**If they admit their illness, some feel that they are letting others down of that they are weak in their religious faith.**

**TURN. They use a system of identifying disability that privileges a social model of conceptualizing impairment that marginalizes those with non-apparent impairments. This leads to a system where either disabled individuals have to self-identify with disability that stigmatizes those that don’t appear “disabled enough” or it outright excludes them from their alternative. The question of who “counts” as disabled is the key question to resolve the efficacy of the alternative.  
  
Jill C.HUMPHREY, (Faculty of applied social science, the Open University, Researching disability politics, or, some problems with the social model in practice, Disability & Society 15.1)2000**

**The danger here is that** the political principles of more powerful disabled actors can be prioritised over the personal perceptions of less powerful disabled actors until the principle of self-definition lapses into self-contradiction: DW [W]e work with a lot of disabled people who are not interested in the social model or anything like that. What we've said is we won't use the language they've asked us to use about them—we'll just call them their name—it's not that difficult—you don't have to refer to that language necessarily, because you have to hold on to your principles as well. Second, we can witness the *silencing* of impairments, as impairment is relegated to a clandestine and privatised space, an effectwhich Hughes & Paterson (1997) have attributed to the social model, and its dualism between impairment and disability. Whilst some interviewees were explicit about their impairments, these were people with apparent impairments in any event. One interlocutor enshrouded her impair­ments in layers of secrecy so that after 2 hours of otherwise frank and detailed dialogues I was still bemused as to which impairments she had experienced. Whilst I was led to believe that different impairments had impacted differently upon her career in workplaces, trade unions and civil rights politics, the discursive absence around impairments in their specificity prevented me from developing an accurate or adequate understanding of her narrative: JCH: I find it interesting that you had, like, an invisible impairment that became, kind of, visible— DW: No, that was a *different thing.* JCH: Oh, that was a *different* thing—right. W: So then I was diagnosed as having something completely different. I've still got *this other things* but at the moment it's not so visible. (Emphases added.) At the time, my concerns that explicit interrogations could become oppressive intrusions meant that I accepted the veil of ignorance and castigated myself for my curiosity. Subsequently, I discovered that it was not just 'outsiders' who could be perplexed by these 'impairments with no name'. A blind man discussed his frus­tration with other disability activists who challenged his inquiries as to the nature of their impairments—his standard reply was that it was an access issue not only for him, in virtue of his blindness, but also for them, in virtue of his role as a service-provider and access advisor. At the same time, this interviewee exhibited a more general awareness that both disability politics and disability theory had been dominated by people with particular disability identities like his own: DM: **It's very *convenient* for people with *apparent* disabilities or impair­ments to operate a social model which says. 'We don't want to discuss things in terms of 'impairments'. Because these people have got priority anyway, and impairment-related provision[in UNISONJ ... The trouble with it [thesocial model] is that it's very difficult ... for people with learning difficulties or other conditions ... which are not catered for ... to raise their concerns as things which need dealing with on a service level, without feeling that they're *breaking the law* and *talking about impairments.*Third, the right to self-define as disabled has as its logical corollary the duty to accept others' self-definitions,**

**but suspicions that people are not who they claim to be circulate around the disabled** communityin UNISON. Casting aspersions upon the purported disability of other group members in veiled or outright manners, with or without names attached, arose spontaneously during interviews. In my naivete, I neither comprehended nor challenged this at the time, but from re-reading and de-coding interview transcripts, I can discern three themes as follows: a self-defined disabled person may be suspected of not being disabled when they harbour a non-apparent impairment, and/or express views which diverge from the prevailing consensus, and/or simultaneously belong to one of the other self-organised groups. These themes, in turn, suggest the operation of hierarchies of impairments, ortho­doxies and oppressions,respectively. This is a strange juncture, where **the propensity to treat only tangible impairments as evidence of a *bona fide* disability identity clearly marginalises those with non-apparent impairments, such as learning or mental health ones, whilst the reluctance or refusal to differentiate between impairments by identifying them bolsters up the claims by people with apparent impairments that they represent all disabled people.The twist in the tale is that when other disabled people do become visible and audible in interrogating the hierarchy of impairments. they may find themselves once again marginalised as the other hierarchies of orthodoxies and oppressions come into play. For one thing, people with learning or mental health difficulties may speak with a different voice, given the qualitatively different *stigmata* attached to different impairments and given the fact that the social model has been developed by those with physical impairments, so that their contributions may be interpreted as deviating from prevailing orthodoxies. For another, people who belong to another oppressed group may be all too visible in their difference, but their blackness or gayness may be construed as detracting from their contributions as disability** activists, given the propensities of each group to prioritise its own specific identification-discrimination nexus. The following intervie­wee testifies to some of these dynamics: DM: People have *the right to self-define.* But what we've never said is who has got *the right to challenge.* So if somebody says 'I'm a disabled person; I've come to this disability group' I don't know how you can deal with your *suspicion that they're not.* In fact you *can't* deal with it. And you have to ask yourself why you *want* to deal with it ... [names mentionedj ... But I'm absolutely convinced that there are lots of people who *don't* come to groups because they're frightened that they don't *look* disabled enough.Indeed, this hierarchy of impairments and **this 'policing' of the disability identity does act to exclude UNISON** members who believe that they experience the disabling effects of an impairment, but who suspect that they would not 'count' as disabled people according to the prevailing criteria in the disabled members' group. Evidence for this emerged during a detailed case-study of the lesbian and gay group, and two examples should suffice. The first example is of a lesbian who had been dyslexic since childhood, who had experienced a range of discriminations in edu­cation, employment and everyday life, and who was registered as disabled with the Department of Employment. She sought to engage in her local disabled members' group, but disengaged after the first meeting: DL: I'm also disabled with an invisible disability, dyslexia ... I have to educate people about dyslexia as well ... An invisible disability is very difficult for people to cope with—you have to tell each new person, and then they each interpret it differently, and then they can forget ... And it's a fluid disability as well—it's manageable sometimes and unmanageable other times ... and people can't deal with that either ...' JCH: Did you ever go to the disabled members' group? DL: I did. And I got *stared at* when I walked in. By people who really should know better. JCH: Sorry. Why did you get stared at? This is not obvious to me! DL: Because I didn't *look* like I was disabled. The second example is, perhaps paradoxically, someone whose impairment was visible, but who dared not join the disabled members' group on the grounds that it was not 'severe' enough to be taken seriously by other group members. The impairment in question was skin allergies over her entire body, including facial disfigurement which is recognised under the Disability Discrimination Act 1995, as one of its few token gestures towards the social model of disability (Hqual Opportu­nities Review, 1996). Nevertheless, this interviewee's self-definition as disabled was confounded and then crushed by her convictions that disability activists would define her as non-disabled: DL: 'I get quite *bitter* sometimes. I don't think I'm disabled, because I don't think that what I've got prevents me from functioning, or society doesn't prevent me from functioning. But it probably *does* ... And my skin tissue scars very easily, and I've got visible marks on my face, and people *do* look, and I *do* feel conscious of it, and I'm *made* to feel conscious of it. But I would feel like I was—what's the word?—an *impostor* if I attended a disability caucus for those reasons. I feel that the disability caucus excludes people like that ... Nobody takes things like that into account. JCH: The crazy thing is, that until people like you get involved in the disability movement in the union, then they *won't take* things like that into account! But that does put a big burden on *you*—or on people in your position—to come out and say 'Hey! We're here too! What about us?' DL: But I feel like mine is a *minimal* complication. Or whether I'm *made* to feel that way ...? The argument here is that **the social model as operationalised within the UNISON group has both reified the disability identity and reduced it to particular kinds of impairments—**physical, immutable, tangible and 'severe' ones—in a way which can deter many people from adopting a disabled identity and participating in a disability community.Whilst this indicates that the social model may harbour its own set of indigenous essentialisms and exclusions, the solution is not to capitulate to the other-imposed essentialisms and exclusions of the medical model, but rather to work towards a more inclusive model. This will entail a more welcoming stance towards all those who self-define as disabled whatever their impairment might be and towards those who experience impairments and who want to combat discrimina­tions, but who do not choose to identify as 'disabled' for whatever reason. It is time for people to ask 'What do we mean by "our" community? Are its building-blocks safe or its boundaries sensible?' There may be merit in reflecting upon Young's (1990a) warning that communities are often fabricated out of the yearning to be among similar-and-symmetrical selves, to the point where members respond to alterity by expelling it beyond their border. Clearly, a self-perpetuating spiral can be set in motion, whereby the tighter the boundaries are drawn, the more those included will normalise their sameness and exclude others, the more the excluded will become estranged others, and the less the community will be informed by experiences of and reflection upon diversity, etc. This should not be misread—the UNISON group, like many other disabled people's organisations, is at least as democratic as any other social or political group in its constitution, and it is at least as diverse as any other in respecting multiple identities. Paradoxically, some disabled people's organisations may have expended more energies in reaching out to black and gay people who harbour specific impairments than in reaching out to differently disabled people whatever their other oppressions. Of course, we must do both. But the question 'Who is to "count" as a member of the disability community?' is not as strange as it may sound and may even be the Achilles heel of disability politics to date.

the affs anlaysis is only anlysis those who have visibile diabilityies and are black – i.e have to be in a hospital for you Black people never gain access to hospital – your anlysis is predicated on whays we can distinctly occupy ableism where as they are always seen as deviant,

#### Blackness itself is considered disability in terms of its deviation from a normalized body, but the construction of the black body as always able leaves them out of discussions of disability

**Pickens 2013 "It's a Jungle Out There:" Blackness and Disability in Monk. By: Pickens, Therí A., Disability Studies Quarterly, 10415718, Summer2013, Vol. 33, Issue 3;Assistant Professor, Department of English, Bates College BA@ Princeton University**

As scholars like Douglas Baynton and others have noted, **blackness** and **disability** have historically interacted in one of two ways: **disability has been mobilized to sustain racist practices and discourses about blackness eschew association with the disabled to promulgate racial uplift. 9 The complex and shifting nature of these discourses has a long and problematic history. For instance, during the antebellum period, drapetomania, the idea that freedom would drive Blacks mad, persisted as a rationale for slavery. Another so-called illness, dysaethesia aethiopica, diagnosed slaves' unwillingness to work**

**for a master as evidence of madness. 10 Yet these very discourses relied on a conception of the super able slave as a backbone (pun intended) to justify slavery.** Slaves were both super able and not at all able. **As Lukin notes,** states **that** refused to allow Blacks to enlist during the Civil War **excluded them based on their proximity to disability, citing blackness itself as a disability.** 11

**After World War II, the rhetoric of the Civil Rights Movement actively eschewed references to sexuality, and disability as part of an ongoing politics of respectability.** Blacks tried to undermine the association of **blackness** with lack when they advocated for Civil Rights by protesting against the idea that they were feeble-minded. 12 **Such a conception of sexuality as disability dovetailed with the** DSM-IV **categorization of homosexuality as a psychiatric disorder. What lurked beneath these ideas was a fear-driven insistence that blackness had to be constructed as able-bodied to gain rights. This tension also continues well into the late twentieth century as evidenced by black churches' responses to HIV/AIDS, for example. In Boundaries of Blackness, Cathy Cohen notes that they were not only slow to respond to what was deemed a "gay disease," but also provided meager assistance to others who had contracted it. 13 The unstable rhetorics of disability and blackness continue conniving to foreclose access to rights.** 14

#### Discursive aspects of policy representation control the internal to effective policy. Gehrke,

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Not all critique arguments focus on value hierarchies. There is a general trend toward critiques focused on values implicit in the arguments advocates construct or the ways they are expressed. Similar movements in policy studies to incorporate interpretive theories and theories of communicative action have begun to overturn the presumption that a policy communicates only its own implementation. Interpretive perspectives on policy offer unique advantages in repairing our policy deliberation model, as well as the pedagogical benefits of deeper understanding of both specific policies and the policy process. It is important that we not think of policies in purely rational modes, but realize what we say through them to others and ourselves. Policy discourse and **policies** themselves can **have profound communicative implications** from the beginning to the end of the policy cycle. **Since public policy is by definition interactive** (that is, it must occur between people), policies **[they] have no option but to exist** predominantly **as communicative events**. As a society "we live in and are confined to a communicated and communicable world" (Vickers 25), and **we cannot separate** our **policy** options **from the communicative acts they represent** and the communications by which we represent them. The existence of the resolution itself and an affirmative team's operationalization of that resolution are profoundly communicative. Policy scholar James Rogers argues that **policy advocacy can alter belief[s]** systems,provide new paradigms, have an agenda setting effect, **affect how** policy **issues are problematized, and change the way solutions are viewed and evaluated** (22-27). Policy discourse begins, as do most affirmative cases, with an explication of the problems with existing policies. However, practical problems must be constructed, interpreted, and made sense of in the complex contexts at hand (Forester, "No Planning" 60). Hence, debaters as policy evaluators and advocates begin by problematizing the status quo. This act simultaneously creates some identities and roles while negating others. It communicates not only a what, but also a who, a why, and much more. The first impact of any affirmative case is to mark and modify the social and political world. Policy discourse communicates values and interpretations about a policy, its subjects, the objects it acts upon, and the world in which advocates seek to implement it. **These communications shape the way that agents implement** or carry out **those policies** (Bullis and Kennedy 543). Cornell professor of city and regional planning John Forester argues that public policies "alter the 'communicative infrastructure' of institutions that mediate between structural processes of social learning and the practical, situated claims-making process of social interaction" *(Critical Theory* 146). **Thus**, as policy analysts and policy makers, **debaters** and critics **must explore methodologies that can account for the communicative impact of policy discourse.** Initially we may find such an approach in an interpretive perspective on policy. An interpretive approach to policy analysis focuses on the meanings of policies, on [and] the values, feelings, and/or beliefs that they express, and on the processes by which those meanings are communicated to and interpreted by various audiences (Yanow 8-9). From this view, debaters may **look to policy discourse as a rhetorical artifact subject to critical** rhetorical **analysis** or similar analyses. **We cannot** neatly **separate policies from the** language and **advocacy that brings about their implementation.** Policies communicate both through action and through the arguments which advocate action. In light of the nationalist and racist rhetoric of extreme anti- immigration politicians, we should not be surprised to hear of border patrol officers abusing non-white people at the U. S. borders. Or, consider what the United States communicated through the Tuskegee experiments. Over 20 years after the conclusion of the Tuskegee study, what it communicated and continues to communicate about the attitudes of governments and medical institutions toward blacks is still having profound impacts. AIDS education program developers have found that the Tuskegee experiment left a legacy which leads many blacks, especially in the rural south, to believe, "that IfV ... was deliberately created to kill black people, that AZT ... was a plot to poison them, that condom distribution was part of a government plan to reduce the number of black births and that needle exchange programs were designed to foment drug use in minority communities" (Stryker E4). Arguably, some policies may intend no more than their implementation. However, that does not free such policies from responsibility for far more than they intend. While methods for considering these interpretive and communicative aspects of a policy are beyond the rationalist perspective, any evaluation of policy options must consider these communicative perspectives. To limit these interpretations to the intentional and the naive is to limit policy discourse and policy analysis, destroying our ability to consider the communicative effects and influences of policy advocacy. In her analysis of the published reports of the Tuskegee study, Martha Solomon notes that one reason the Tuskegee experiment continued for as long as it did was that the rhetorical conventions of the scientific community obscured and encouraged neglect of crucial human concerns (243- 244). Her focus necessarily extends far beyond the intentional, naive, rogate meanings of the Tuskegee texts. While recognizing these language choices were not intentional attempts to deceive or manipulate, Solomon accounts for their occurrence and impact upon the policy process. Attempts at similar analysis of proposed policies might act as a check against policy actions such as the Tuskegee study. Ignorance of these aspects of policy analysis may persuade debaters that policies that meet rational cost-benefit criteria are always the most effective and preferential policy options, regardless of how they characterize individuals or communicate roles and obligations. Similarly, it will leave debaters unable to account for the often enduring and dramatic effects of the communicative aspects of policies and policy advocacy. [[2]](#footnote-2)

1. 1-1-1998¶ Critique Arguments as Policy Analysis: Policy Debate Beyond the Rationalist Perspective¶ Pat J. Gehrke University of South Carolina - Columbia, patgehrke@gmail.com¶ CONTEMPORARY ARGUMENTATION AND DEBATE 19 (l998): 18-39.¶ [↑](#footnote-ref-1)
2. 1-1-1998¶ Critique Arguments as Policy Analysis: Policy Debate Beyond the Rationalist Perspective¶ Pat J. Gehrke University of South Carolina - Columbia, patgehrke@gmail.com¶ CONTEMPORARY ARGUMENTATION AND DEBATE 19 (l998): 18-39.¶ [↑](#footnote-ref-2)